

ORIGINAL

RECEIVED

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

JUL 15 2004

Federal Communications Commission
Office of Secretary

In the Matter of)	
Amendment of Section 73.622(b))	MB Docket No. 04-189
Table of Allotments,)	
Digital Television Broadcast Stations.)	RM-10962
(Anchorage, Alaska))	

COMMENTS OF
ALASKA BROADCASTING COMPANY, INC.

I. INTRODUCTION.

Alaska Broadcasting Company, Inc. ("ABC"), licensee of KTVA(TV), Channel 11 (DTV Channel 28), Anchorage, Alaska, hereby submits these Comments in response to the Commission's *Notice of Proposed Rulemaking* released May 24, 2004 ("*Notice*").¹ The *Notice* seeks comment on proposed amendments to the DTV Table of Allotments to operate Anchorage television stations KAKM(TV), KTUU-TV, and KIMO(TV) on DTV channels 8, 10, and 12, respectively. This *Notice* was issued in response to a petition for rulemaking jointly filed by these television stations ("*Joint Petitioners*").² ABC files these comments in support of the requested changes to the DTV Table of Allotments. As set forth below, any future DTV operations on channels 10 and 12 should fully comply with the Commission's rules and policies concerning adjacent channel interference and any amendment to the DTV Table of Allotments to substitute KIMO(TV)'s assigned DTV channel 30 with DTV channel 12 should include a lower case "c"

¹ *In the Matter of Amendment of Section 73.6222(b), Table of Allotments, Digital Television Broadcast Stations, (Anchorage, Alaska)*, MB Dckt. No. 04-189, *Notice of Proposed Rulemaking*, DA 04-1349 (rel. May 24, 2004).

² *In the Matter of Amendment of Section 73.6222(b), Table of Allotments, Digital Television Broadcast Stations, (Anchorage, Alaska)*, *Joint Petition for Rulemaking* (filed Feb. 20, 2003) as amended July 24, 2003 ("*Joint Petition*").

No. of Copies rec'd
List ABCDE

014

designation after the channel number, in accordance with Section 73.622(g)(1) of the Commission's rules.

II. BACKGROUND.

By way of background, ABC is a member of the Anchorage Broadcast Television Consortium (the "Consortium") which also includes the petitioners in the instant proceeding, KAKM(TV), KTUU-TV, and KIMO(TV). The Consortium was formed to develop a comprehensive plan to implement a technically feasible, affordable solution to deploy DTV service to Anchorage. Despite extraordinary efforts, the Consortium was unable to implement a workable DTV plan.³ ABC has since pursued its own DTV implementation plan and applauds the efforts undertaken by KAKM(TV), KTUU-TV, and KIMO(TV), outlined in the *Joint Petition*, that will likewise ensure that this valuable service will be deployed to Anchorage.

III. ABC SUPPORTS DTV OPERATIONS THAT COMPLY WITH THE COMMISSION'S RULES AND POLICIES.

ABC supports the amendments to the DTV Table of Allotments proposed in the *Notice* but notes that the proposed amendments, if adopted, will provide for digital operations on channels 10 and 12, adjacent to KTVA(TV)'s current analog operations on channel 11. In this regard, ABC has two concerns. First, that DTV operations on proposed channels 10 and 12 not result in prohibited interference to KTVA(TV) channel 11. Second, the proposal to amend the DTV Table of Allotments, set forth in the *Notice*, to substitute KIMO(TV) DTV channel 30, with DTV channel 12 does not include a designation on the channel 12 allocation that would indicate that any operation of a DTV channel 12 must maintain an 5.082138 MHz offset to the

³ The consortium worked diligently for several years to develop and implement a comprehensive, practical, and affordable plan for the implementation of DTV service to the Anchorage market. After extensive talks with Media Bureau staff, the consortium finalized a plan that contemplated the use of a shared a single site from which all Anchorage DTV broadcasts would originate. The Consortium approached the owner of this site and underwent lengthy negotiations for its purchase. These negotiations ultimately proved unsuccessful.

KTVA(TV) channel 11 visual carrier. Section 73.622(g)(1) of the Commission's rules requires that DTV allotments specifying operation one channel above and located within 88 kilometers of an NTSC station must maintain an offset to the affected NTSC station's visual carrier frequency.⁴ The *Notice* proposes to amend the DTV Table of Allotments to substitute KIMO(TV) DTV channel 30, with DTV channel 12 and the proposed transmit site for KIMO(TV)'s DTV service will be within 88 kilometers of KTVA(TV)'s NTSC operations on channel 11. Accordingly, any amendment to the DTV Table of Allotments to substitute channel 12 for channel 30 in Anchorage, Alaska should include a lower case "c" designation after channel number "12". Such an offset is critical to KTVA(TV) channel 11 because unsynchronized operation can cause disruptive, prohibited interference to analog KTVA(TV) operations.

ABC has expressed its concerns to the *Joint Petitioners*. In the spirit of cooperation, ABC and the *Joint Petitioners* are implementing a local interference action plan under which each are agreeing to work together closely to allow the *Joint Petitioners* stations to be afforded the maximum allowable signal strength in transitioning to digital service as long as any digital operations on DTV channels 10 and 12, as proposed in the *Joint Petition*, will be undertaken in strict compliance with the Commission's adjacent channel interference rules and policies. Under this plan: (1) precision oscillators will be purchased and paid for by the *Joint Petitioners* and will be utilized at the KTVA(TV) transmitter and at any future KIMO(TV) DTV channel 12 transmitter to ensure compliance with Section 73.622(g)(1) of the Commission's rules; (2) the proposed amendment to substitute KIMO(TV) DTV channel 30, with DTV channel 12 would include a "c" designation to indicate that any operation of a DTV channel 12 allocation must maintain an 5.082138 MHz offset to the KTVA(TV) channel 11 visual carrier; (3) power would

⁴ 47 C.F.R. 73.622(g)(1).

be reduced if prohibited interference is caused; and (4) reports of interference would be monitored and action would be taken to ensure complete adherence to all Commission rules and policies.

IV. CONCLUSION.

In view of the cooperative efforts being undertaken among ABC and the *Joint Petitioners* which are intended to ensure that any future DTV operations on channels 10 and 12 fully comply with the Commission's rules and policies concerning adjacent channel interference, ABC supports the changes to the DTV Table of Allotments proposed in the *Notice*. ABC also respectfully requests that any amendment to the DTV Table of Allotments to substitute DTV channel 12 for KIMO(TV)'s assigned channel 30 include a lower case "c" designation after the channel number, in accordance with Section 73.622(g)(1) of the Commission's rules.

Respectfully submitted,

ALASKA BROADCASTING COMPANY, INC.

By: 

Jerry Beyer, Vice President
1007 W. 32nd Avenue
Anchorage, Alaska 99503
(907) 273-3192

By: 

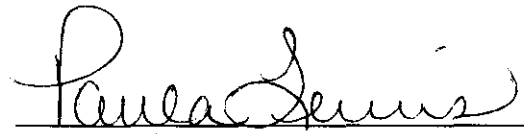
Christopher D. Ornelas
WILKINSON BARKER KNAUER, LLP
2300 N Street, N.W.
Washington, D.C. 20037
(202) 783-4141

July 15, 2004

CERTIFICATE OF SERVICE

I, Paula Lewis, do hereby certify that on this 15th day of July 2004, a copy of the foregoing Comments of Alaska Broadcasting Company, Inc. was served by hand delivery to the following:

Richard R. Zaragoza
Veronica D. McLaughlin
Shaw Pittman LLP
2300 N Street, N.W.
Washington, D.C. 20037-1128


Paula Lewis